IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.7917 OF 2004

1. Nanaji Ankush Shelar and ors. .. Petitioners.

Vs

1. Smt.Bhikubai Pandit Thakare & Ors Respondents

Mr S.M.Sabrad, for the petitioners.

CORAM : D.B.BHOSALE,J.

DATE : 29th September, 2004.

PC:

1. Heard Mr.Sabrad, learned counsel for the petitioner.

2. This petition is directed against the concurrent findings recorded by the courts below in the application filed by the parties seeking temporary injunction against each other. I perused the impugned orders. Mr Sabrad, learned counsel for the petitioners, strenuously contended that the Courts below have not appreciated the material in judicial manner while dealing with the application seeking interim relief. The Courts have wrongly placed reliance on the orders passed in the RTS proceedings. It is well settled position in law that this Court is not expected to re-assess the material and seek to reach the conclusion different from the one reached by the Courts below, if one reached by the Courts below was reasonably possible on the material.

From perusal of the impugned orders and the other material, it cannot be said that the conclusions arrived at by the Courts below are not reasonably possible. In the circumstances, no case for interference in the impugned order is made out. The writ petition, therefore, fails and is dismissed as such. Hearing of the suit is expedited.

. An authenticated copy of this order may be made available to the parties.

(D.B.BHOSALE, J.)